

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
OFFICE OF THE CLERK  
501 "T" STREET  
SACRAMENTO, CA 95814

February 28, 2006

Clerk, US District Court  
Western District of Tennessee  
167 North Main Street  
Memphis, TN 38103

RE: **USA v. Daniel Scott Ogden**  
**Our # MAG. S-06-0057 DAD**  
**Your # 2:06CR20033 JBD-DLV**  
**USDC Western District of Tennessee- Western Division**

Dear Clerk,

The above captioned case is transferred to your court pursuant to the minutes held before Magistrate Judge Dale A. Drozd on 02/27/06. Enclosed is a certified copy of the docket sheet. We are an electronic court. To access our docket and view the documents you will have to go to our website at [www.caed.uscourts.gov](http://www.caed.uscourts.gov) and log in with your Pacer Account user ID and password.

Please acknowledge receipt of the above documents by endorsing the copy of this letter provided.

Sincerely,  
Jack L. Wagner, Clerk

by: /s/ S. Kirkpatrick  
S, Kirkpatrick , Deputy Clerk

DATE RECEIVED: \_\_\_\_\_

BY DEPUTY CLERK: \_\_\_\_\_

CLOSED

**U.S. District Court  
Eastern District of California - Live System (Sacramento)  
CRIMINAL DOCKET FOR CASE #: 2:06-mj-00057-DAD-ALL  
Internal Use Only**

Case title: USA v. Ogden

Date Filed: 02/27/2006

Assigned to: Magistrate Judge Dale  
A. Drozd

**Defendant**

**Daniel Scott Ogden (1)**  
**TERMINATED: 02/28/2006**

represented by **Rachelle Barbour**  
Office of the Federal Defender  
801 I Street, 3rd Floor  
Sacramento, CA 95814  
(916) 498-5700  
Fax: (916) 498-5710  
Email: Rachelle\_Barbour@fd.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Pending Counts**

None

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Highest Offense Level  
(Terminated)**

None

**Complaints**


None

**Disposition**

I hereby certify that the annexed  
instrument is a true and correct copy of  
the original on file in my office.

ATTEST: **JACK L. WAGNER**

Clerk, U. S. District Court  
Eastern District of California

  
Deputy Clerk  
Date 2/28/06

**Disposition**

**Plaintiff**

USA

represented by **Michelle Rodriguez**  
United States Attorney  
Federal Courthouse, 10th Floor  
Sacramento, CA 95814  
(916) 554-2700  
Fax: (916) 554-2900  
Email: usacae.ecfsacrm@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

CLOSED

**U.S. District Court  
Eastern District of California - Live System (Sacramento)  
CRIMINAL DOCKET FOR CASE #: 2:06-mj-00057-DAD-1**

Case title: USA v. Ogden

Date Filed: 02/27/2006

Assigned to: Magistrate Judge Dale A.  
Drozdz

**Defendant**

**Daniel Scott Ogden (1)**  
*TERMINATED: 02/28/2006*

represented by **Rachelle Barbour**  
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801 I Street, 3rd Floor  
Sacramento, CA 95814  
(916) 498-5700  
Fax: (916) 498-5710  
Email: Rachelle\_Barbour@fd.org  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or  
Community Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

**USA**

represented by **Michelle Rodriguez**

United States Attorney  
 Federal Courthouse, 10th Floor  
 Sacramento, CA 95814  
 (916) 554-2700  
 Fax: (916) 554-2900  
 Email: usacae.ecfsacrm@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/28/2006	5	TRANSMITTAL of DOCUMENTS to the USDC Western District of Tennessee. (Kirkpatrick, S) (Entered: 02/28/2006)
02/27/2006	4	DETENTION ORDER as to Daniel Scott Ogden; signed by Judge Dale A. Drozd on 02/27/06. (Kirkpatrick, S) (Entered: 02/28/2006)
02/27/2006	3	RULE 5(c)(3) DOCUMENTS RECEIVED as to Daniel Scott Ogden. (Kirkpatrick, S) (Entered: 02/28/2006)
02/27/2006	2	COMMITMENT to ANOTHER DISTRICT signed by Judge Dale A. Drozd on 2/27/06; Defendant committed to District of Western District of Tennessee, Western Division. (Kirkpatrick, S) (Entered: 02/28/2006)
02/27/2006	1	MINUTES for proceedings held on 2/27/2006 before Judge Dale A. Drozd :INITIAL APPEARANCE in RULE 5(c)(3) PROCEEDINGS as to Daniel Scott Ogden. All parties present. The Federal Defender was appointed to represent the deft. The Court advised the deft of his rights and the pending charges. A not guilty plea was entered with a jury trial demand. The deft waived an ID hearing. The Govt moved for detention; Defense counsel submitted on the matter. The Court ordered the deft detained and to be transported forthwith to the Western District of Tennessee for further proceedings. Government Counsel Michelle Rodriguez present. Defense Counsel Rachelle Barbour present. Custody Status: In custody. Court Reporter/CD Number: ECRO. TEXT ONLY. (Cannarozzi, N) (Entered: 02/27/2006)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
03/06/2006 13:52:48			
<b>PACER Login:</b>	us3298	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:06-mj-00057-DAD
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.08

AO 94 (Rev. 8/97) Commitment to Another District

**FILED**

## UNITED STATES DISTRICT COURT

FEB 27 2006

Eastern

District of

California  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY  
DISTRICT CLERK

UNITED STATES OF AMERICA

COMMITMENT TO ANOTHER

V.

DANIEL SCOTT OGDEN

Case No. MAG-06-0057-DAD

## DOCKET NUMBER

## MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

2:06-cr-20033-JBD-dlv

MAG-06-0057-DAD

## CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment☐ Information☐ Complaint☐ Other (specify)

charging a violation of 18 U.S.C. § 2251(a)

## DISTRICT OF OFFENSE

Western District of Tennessee - Western Division

## DESCRIPTION OF CHARGES:

Producing/Possessing Visual Depictions of Minors Engaging in Sexually Explicit Conduct.

## CURRENT BOND STATUS:

- ☐ Bail fixed at \_\_\_\_\_ and conditions were not met
- ☒ Government moved for detention and defendant detained after hearing in District of Arrest
- ☐ Government moved for detention and defendant detained pending detention hearing in District of Offense
- ☐ Other (specify) \_\_\_\_\_

Representation: ☐ Retained Own Counsel ☒ Federal Defender Organization ☐ CJA Attorney ☐ NoneInterpreter Required? ☒ No ☐ Yes Language: \_\_\_\_\_

## DISTRICT OF

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

2/27/06

Date

Dale A. Dwyer

United States Judge or Magistrate Judge

## RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

**FILED**

FEB 27 2006

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIABY \_\_\_\_\_  
DEPUTY CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL SCOTT OGDEN,

Defendant.

MAG. 06-0057-DAD

**DETENTION ORDER**A. Order For Detention

After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (I)

B. Statement Of Reasons For The Detention

The Court orders the defendant's detention because it finds:

- ☒ By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.
- ☒ By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person and the community.

C. Findings Of Fact

The Court's findings are based on the evidence which was presented in Court and that which was contained in the Pretrial Services Report, and includes the following:

- ☒ (1) Nature and Circumstances of the offense charged:
- ☒ (a) The crime. 18 USC §§ 2251, 2252 & 2422.
- ☐ (b) The offense is a crime of violence.
- ☐ (c) The offense involves a narcotic drug.
- ☐ (d) The offense involves a large amount of controlled substances.
- ☐ (2) The weight of the evidence against the defendant is high.
- ☒ (3) The history and characteristics of the defendant including:
- (a) General Factors:
- ☐ The defendant appears to have a mental condition which may affect whether the defendant will appear.
- ☒ The defendant has no known family ties in the area.
- ☒ The defendant has no known steady employment.
- ☒ The defendant has no known substantial financial resources.
- ☐ The defendant is not a long time resident of the community.
- ☒ The defendant does not have any known significant community ties.
- ☐ Past conduct of the defendant: \_\_\_\_\_
- ☐ The defendant has a history relating to drug abuse.
- ☐ The defendant has a significant prior criminal record.
- ☐ The defendant has a prior record of failure to appear at court proceedings.

Whether the defendant was on probation, parole, or release by a court;

At the time of the current arrest, the defendant was on:

- ☐ Probation  
☐ Parole  
☒ Release pending trial, sentence, appeal or completion of sentence.

(b) Other Factors:

- ☐ The defendant is an illegal alien and is subject to deportation.  
☐ The defendant is a legal alien and will be subject to deportation if convicted.  
☐ Other: \_\_\_\_\_

☒ (4) Rebuttable Presumptions

In determining that the defendant should be detained, the court also relied on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e), which the court finds the defendant has not rebutted:

- ☐ a. (1) The crime charged is one described in § 3142(f)(1) viz.  
☐ (A) a crime of violence; or  
☐ (B) an offense for which the maximum penalty is life imprisonment or death; or  
☐ (C) a controlled substance violation that has a maximum penalty of ten years or more; or  
☐ (D) a felony and defendant previously was convicted of two or more of the offenses described in (A) through (C) above and  
 (2) Defendant previously has been convicted of one of the crimes listed in subparagraph (1)(A)-(C), above and  
 (3) The offense referred to in subparagraph (2) was committed while defendant was on release pending trial and  
 (4) Not more than five years has elapsed since the date of conviction or release from imprisonment for the offense referred to in subparagraph (2).  
☒ b. There is probable cause to believe that defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed  
☐ in the Controlled Substances Act, 21 U.S.C. §§ 801, et seq.,  
☐ the Controlled Substances Import and Export Act, 21 U.S.C. §§ 951, et seq.,  
☐ the Maritime Drug Law Enforcement Act, 46 U.S.C. App. §§ 1901, et seq., or  
☐ an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b.  
☒ an offense under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and

The defendant be afforded reasonable opportunity for private consultation with his counsel; and

That, on order of a court of the United States, or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: 2/27/06

Dale A. J...  
 UNITED STATES MAGISTRATE JUDGE